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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/216,985	12/21/1998	LAURENCE HONARVAR	1330.1010	8897

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EXAMINER

CUFF, MICHAEL A

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 03/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/216,985

Applicant(s)

Honarvar

Examiner

Michael Cuff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 8, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 22-38 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 22-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-11 and 22-38 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The term "type" in reference to different accounts in claims 1, 23, 26, 28, 29 and 38 is a relative term which renders the claim indefinite. The addition of the word "type" to an otherwise definite expression extends the scope of the expression so as to render it indefinite. See MPEP 2173.05(b), section "E".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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5. Claims 1-28, as best understood by the examiner, are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (6,088,686)

Walker et al. Shows, figures 1A and 1B, the system and method of the present invention provide on-line processing of applications in real time (single pass, one time data input, means for evaluating), thus providing conditional approvals, pending required verifications. The system has a front-end processing system (blocks 14 and 16) that provides an immediate review of the results of analyzing an applicant's credit bureau history (blocks 28, 30, 32 and 34) (account data, 30, 32, 34 provide virtual attributes) and automated credit scoring. The system and method of the present invention involves the unique processing of a new or existing customer relationship (blocks 18, 20 and 24, virtual attributes) (customer data) into the credit decision request. Via on-line real-time integration of the many systems (block 52) involved in the process, all of the existing customer's accounts (each of customer's accounts, some can be of the same type) are systematically and automatically reviewed during the application session to determine the aggregate balance amount, which gives rise to the best price being offered to the existing customer 10 (evaluating customer) for the requested credit product. This feature enables the ability to provide new or existing customers (block 10) with an up-front conditional approval based on systematic evaluation of credit bureau history, credit score (virtual attribute), debt burden (virtual attribute), credit policies and the customer's relationship (virtual attribute) with the financial institution, (separate extracts, different data sources, plurality of extracts) subject to required verifications.

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The Maximum Debt Burden Offer provides applicants requesting credit (revolving or closed-end) with the maximum allowable line of credit or loan amount, whose estimated payment for the requested product, in addition to all known debt payments (applicant provided debt, including rent or mortgage payments, and credit bureau derived payments) (different accounts with different strategies), would not exceed the product specified parameters (line assignment tables) up to the designated controlling debt burden table parameter.

Any label for a term is a virtual attribute. For example, credit limit less the balance is equal to the available credit. In this example, the terms "credit limit", "balance" and "available credit" are all virtual terms because they are all attributes with no explicit data value. (See applicant's definition on page 18, lines 11-13 of the specification.) These attributes do represent a series of non-virtual attributes which have explicit values. The examiner has indicated many "virtual attributes" throughout the sighted reference. The "non-virtual attributes" are inherent as the collection of attributes which make up a "virtual attribute".

A series of tables in the application processing system (ACAPS 26) contains the price points for each product that has multiple price points (iterative function, iterative matrix). The tables also provide the name of the characteristic (such as balance amount, virtual attribute), the break point(s)(virtual attribute) (such as less than \$1500, greater than or equal to \$1500, etc.), and the resulting price(s)(virtual attribute). Other table values within ACAPS 26 determine whether the automated pricing routines should be used or not used (first iterative decision tree, iterative for each new account requested by customer). Assuming the routines are used, ACAPS

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26 calls (first iterative function calls second) upon another bank system (block 52), which aggregates all of the customer's balances (second iterative matrix function, iterating through a number of accounts) to obtain the aggregated balance amount to be used in conjunction with the pricing tables to determine the price to be offered to the applicant 10.

Response to Arguments

6. Applicant's arguments filed 1/08/02 have been fully considered but they are not persuasive.

Applicant asserts that Walker applies the same strategy to all accounts, regardless of type. The examiner does not concur. Account structure demands different strategies for evaluating them. For example, a savings account does not have a credit limit, therefore a different "strategy" must be used to evaluate the savings account verse a credit card. Like wise a mortgage structure is different from either of the above account. The examiner has included the "maximum debt burden" section to the rejection to show the different types of accounts used by Walker and which inherently have different strategies for evaluating them. In addition, the examiner has withdrawn the 112, first paragraph rejection based on applicant's assertion, but the discloser of the evaluation process and strategies is so weak that the Walker reference reads upon these claim limitations.

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Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication should be directed to Michael Cuff at telephone number (703) 308-0610.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900. The fax phone number for this Group is (703) 746-7239. (After Final special fax number (703) 746-7238)


Michael Cuff
March 11, 2002


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